

1050

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Irma FELIX-Benitez

Defendant.

Magistrate Case No.:

'08 MJ 8436

COMPLAINT FOR VIOLATION OF
21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)


The undersigned complainant being duly sworn states:

That on or about May 17, 2008, within the Southern District of California, defendant Irma FELIX-Benitez did knowingly and intentionally import approximately 16.80 kilograms (36.96 pounds) of cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Special Agent
U.S. Immigration and
Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS 19th
DAY OF MAY 2008.


Peter C. Lewis
U.S. MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

This Probable Cause Statement is based on the reports, documents, and notes furnished to United States Immigration and Customs Enforcement Special Agent Luis A. Saenz. I, United States Immigration and Customs Enforcement Special Agent Luis A. Saenz, declare under penalty of perjury, the following is true and correct:

On May 17, 2008, at approximately 0712 hours, Irma FELIX-Benitez attempted to enter the United States from the Republic of Mexico at the Calexico, CA West Port of Entry. FELIX was the driver and sole occupant of a 2006 Chrysler Town & Country minivan.

FELIX gave negative Customs declarations to Customs and Border Protection Officer (CBPO) A. Ramirez. CBPO Ramirez noticed that FELIX seemed to display signs of nervousness by constantly moving and uncontrollable trembling. FELIX presented her valid DSP-150 (Border Crosser Cards) to CBPO Ramirez to facilitate her admission to the United States. When asked, FELIX claimed to be the owner of the vehicle. FELIX further stated to CBPO Ramirez she was going to Calexico, California. CBPO Ramirez asked FELIX biographical questions and FELIX claimed she could not recall her address. CBPO Ramirez elected to refer FELIX and the vehicle she was driving to the Vehicle Secondary Area for further inspection.

In the Vehicle Secondary Area, CBP Canine Enforcement Officer (CEO) C. Jones conducted a secondary inspection of the vehicle driven by FELIX utilizing his canine unit. The canine inspection resulted in an alert by the canine unit. CBPO A. Zuniga obtained a negative customs declaration from FELIX. CBPO Zuniga conducted further inspection of the vehicle and discovered fourteen (14) packages, with a combined weight of 16.80 kilograms (36.96 pounds) of cocaine, concealed within a non-factory compartment under the rear seat of the vehicle driven by FELIX. CBPO Zuniga probed a package and it produced a white powdery substance that field-tested positive for cocaine.

FELIX was arrested for importation of cocaine into the United States. FELIX was advised of her rights pursuant Miranda.

Executed on May 17, 2008, at 1:15 P.M.


Luis A. Saenz
Immigration and Customs Enforcement
Special Agent

On the basis of the facts presented in the probable cause statement consisting of one page, I find probable cause to believe that the defendant(s) named in this probable cause statement committed the offense on May 17, 2008, in violation of Title 21, United States Code, Sections 952 and 960.


The Honorable Anthony J. Battaglia
United States Magistrate Judge

5/17/08 1:50pm
Date/Time